

Deficiency Progress Report - Update 5

Report Submitted November 7, 2008

To complete the evaluation process, Cal/EPA requires the CUPAs to submit Deficiency Progress Reports that explain the CUPA's progress towards correcting the identified deficiencies. Deficiency Progress Reports are due every 90 days after the evaluation date until all deficiencies have been corrected.

CUPA Name: Lake County Environmental Health

Evaluation Date: October 18 and 19, 2006

Evaluation Team: JoAnn Jaschke
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Deficiencies corrected to date: 1, 2, 3, 6, 7, 9, 11, and 12.

Deficiencies corrected with update 5: 3, 5 and 8

Deficiency #3: As noted in the 2005 CUPA evaluation, the CUPA is not regulating all agricultural handlers under the Business Plan program.

CUPA Corrective Action: A list of Agricultural facilities has been developed. We have received the database of restricted-use pesticide applicators from the Agricultural Commissioner. Large agricultural operations are included in our Business Plan program at this time. The remaining sites are being evaluated and added to our database as appropriate. Facilities are inspected, with a full Business Plan required if the materials are above threshold quantities. We expect to have substantial compliance in the overall Agricultural sector by 31 DEC 2009. Please consider this deficiency satisfied.

OES Response: OES is satisfied with the progress the CUPA has taken in correcting this deficiency and consider this deficiency corrected.

Deficiency #4: As noted in the 2005 CUPA evaluation, the CUPA is not meeting the triennial inspection frequency for the Business Plan program.

CUPA Corrective Action: Program staffs to support this program were increased in OCT 2007; orientation training, integration and program adjustments continue through 2008. We are inspecting the facilities and

obtaining revised Business Plans when needed. We expect to be current on a triennial inspection schedule for Business Plan facilities by 30 JAN 2009.

OES Response: OES appreciates the CUPA's efforts in making progress towards correcting this deficiency. Please continue to update OES on your progress by providing the number of inspections for fiscal year 08-09 up to date, on your next progress report due February 16, 2009.

Deficiency #5: As noted in the 2005 CUPA evaluation, the CUPA has not yet conducted preliminary risk determinations for potential Table 3 CalARP facilities.

CUPA Corrective Action: Preliminary Risk Determinations have been done on all handlers of CAL-ARP materials. This is according to established policy (see enclosed). Notices to comply have been issued to all handlers with the assigned Program level. Please consider this deficiency satisfied.

OES Response: OES considers actions taken by the CUPA to sufficiently address and correct this deficiency.

Deficiency #8: The emergency response plan in 6 of the 9 Business Plan files reviewed did not contain instructions to notify the State Warning Center (OES) in the event of a hazardous materials release.

CUPA Corrective Action: This CUPA uses the UNIDOC Emergency Response and Contingency Plan as part of the Business Plan submittal (see enclosed). All Business Plans are updated in this format. Please consider this deficiency satisfied.

OES Response: OES consider this deficiency corrected at this time and will re-evaluate at the next evaluation.

Deficiency #10: With the increase in hazardous waste facilities, the CUPA is not meeting their inspection frequencies.

CUPA Corrective Action: Staff were added in OCT 2007. We are progressing with inspections for facilities with quantities below the threshold levels. We are conducting inspections and obtaining revised Business Plans for those facilities with the quantities greater than the threshold levels. We expect to be current on a triennial inspection schedule for hazardous waste generators by 30 JAN 2009.

DTSC Response: DTSC appreciates the CUPA's efforts in making progress towards correcting this deficiency. Please continue to update Cal/EPA on the correction status of this deficiency.